

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

AETNA INC.  v.  ALL MARKET PRODUCTS & SERVICES, LLC, et al.	Case No. 2:16-cv-01819-JAD-PAL
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**DEFENDANTS' ANSWER**

Defendant Dental Club America, LLC (“Dental Club” or “Defendant”), through undersigned counsel, hereby responds to Aetna Inc. (“Aetna” or “Plaintiff”) as follows:

**PRELIMINARY STATEMENT**

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

2. Denied.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations regarding co-Defendant Dental Shield. Denied as to the remaining allegations in the paragraph.

4. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations regarding co-Defendant Dental Shield. Denied as to the remaining allegations in the paragraph.

5. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations regarding co-Defendant Dental Shield. Denied as to the remaining allegations in the paragraph.

6. Denied as to any allegations of wrongdoing. The allegations of the rest of the paragraph are conclusions of law to which no response is required. To the extent a response is required, the statements of that paragraph are denied.

**THE PARTIES, JURISDICTION AND VENUE**

7. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

**The Dental Shield Defendants**

8. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

9. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

10. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

**The Dental Club Defendants**

11. Admitted.

12. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

13. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

**Jurisdiction and Venue**

14. The allegations of this paragraph are conclusions of law to which no response is required. To the extent a response is required, the statements of that paragraph are denied.

15. The allegations of this paragraph are conclusions of law to which no response is required. To the extent a response is required, the statements of that paragraph are denied.

16. The allegations of this paragraph are conclusions of law to which no response is required. To the extent a response is required, the statements of that paragraph are denied.

17. The allegations of this paragraph are conclusions of law to which no response is required. To the extent a response is required, the statements of that paragraph are denied.

18. The allegations of this paragraph are conclusions of law to which no response is required. To the extent a response is required, the statements of that paragraph are denied.

**BACKGROUND FACTS COMMON TO ALL COUNTS**

**The Aetna Trademarks**

19. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

20. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

**The Aetna Trademarks Are Famous and Valuable**

21. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

**Aetna Dental Access**

22. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

23. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

**Defendants' Unlawful Conduct**

24. Denied.

25. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

26. Denied.

27. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

28. Denied.

***Aetna Attempts to Resolve the Issues***

29. Denied as to allegations regarding Defendant Dental Club. Defendant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the

allegations in the paragraph. To the extent a response is required, the statements of that paragraph are denied.

30. Denied.

31. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

32. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

33. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

34. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

35. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

36. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

37. Denied.

38. Denied.

39. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

40. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

### **COUNT I**

41. Denied.

42. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

43. Denied.

44. Denied.

45. Denied.

46. Denied.

47. Denied.

48. Denied.

49. Denied.

### **COUNT II**

50. Denied.

51. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

52. Denied.

53. Denied.

54. Denied.

55. Denied.

56. Denied.

57. Denied.

58. Denied.

59. Denied.

60. Denied.

### **COUNT III**

61. Denied.

62. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations. To the extent a response is required, the statements of that paragraph are denied.

63. Denied.

64. Denied.

65. Denied.

66. Denied.

67. Denied.

Respectfully Submitted,

/s/ Eric Menhart

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**CERTIFICATE OF SERVICE**

I hereby certify that on the date of this filing a copy of the foregoing was served via electronic case filing and all parties of record were served by that system.

/s/ Whitney W. Wilcher

Whitney W. Wilcher, Esq.